

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 07-11170

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT May 20, 2008 THOMAS K. KAHN CLERK

D. C. Docket No. 99-00938 CV-ASG

RICHARD FEINGOLD, individually and
ex rel. United States of America,
UNITED STATES OF AMERICA,

Plaintiffs-Appellants,

versus

PALMETTO GOVERNMENT BENEFITS
ADMINISTRATORS, JOHN DOE, etc.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Florida

(May 20, 2008)

Before ANDERSON, HULL and SILER,* Circuit Judges.

PER CURIAM:

*Honorable Eugene Siler, Jr., United States Circuit Judge for the Sixth Circuit, sitting by
designation.

After oral argument and careful consideration, we readily conclude that the judgment of the district court is due to be affirmed. With respect to Counts III and IV of the complaint, we conclude that we are bound by our prior panel opinion in United States ex rel. Body v. Blue Cross and Blue Shield of Alabama, Inc., 156 F.3d 1098 (11th Cir. 1998). Accordingly, defendants are immune with respect to the allegations of Counts III and IV.

With respect to Counts I and II, we conclude that the district court committed no reversible error in dismissing those counts for failure to comply with Fed.R.Civ.P. 9(b).

Accordingly, the judgment of the district court is

AFFIRMED.